

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE CITY OF NEW YORK,

Plaintiff,

CIVIL ACTION NO.

-against-

ARM OR ALLY, LLC, RAINIER ARMS, LLC, SALVO
TECHNOLOGIES, INC. d/b/a "80P BUILDER," ROCK
SLIDE USA, LLC, and INDIE GUNS, LLC,

**DECLARATION OF
SERGEANT RICHARD
LEBLOND**

Defendants.
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I, RICHARD LEBLOND, declare, pursuant to 28 U.S.C. §1746, under penalty of perjury,
that the following is true and correct:

1. I am a Sergeant in the New York City Sheriff's Office, which is an office within the New York City Department of Finance. I have held the rank of Sergeant since October 2019. Between March 2019 and October 2019, I was a Deputy Sheriff. Before that, beginning in August 2016, I was a Detective with the New York City Sheriff's Office. I previously served as an investigator with the New York City Human Resources Administration beginning in August 2008.

2. I am currently assigned to the Sheriff's Bureau of Criminal Investigation, which is a citywide unit within the Sheriff's Office responsible for criminal tax and financial crimes investigation. My duties and responsibilities as a Sergeant in the Bureau of Criminal Investigation include, but are not limited to, supervising a staff of Deputy Sheriffs and investigators conducting criminal investigations into tobacco tax evasion, real estate theft, and illegal fireworks trafficking; engaging in civil enforcement actions as directed by the courts and the Sheriff; and effectuating arrests.

3. I base this Declaration on my personal knowledge, conversations with staff members of the New York City Sherriff's Office, and a review of records kept in the ordinary course of business. I submit this Declaration in support of Plaintiff's Motion for a Preliminary Injunction.

4. As part of my duties, I was tasked with investigating the online sale into New York City of "ghost gun" components, including unserialized, unfinished frames and the other parts needed to complete a ghost gun assembly, by conducting undercover purchases, using a fictitious name, from websites offering these products. From each of the website identified below, including armorally.com, rainierarms.com, 80pbuilder.com, rockslideusa.com, and indieguns.com, I purchased a Polymer80 brand unserialized, unfinished frame and other ghost gum components using the same fictitious name and undercover phone number, email address, credit card information, and Manhattan shipping address. The products I ordered were delivered to the Manhattan shipping address I provided through common carriers or the U.S. Postal Service.

5. None of the websites from which I purchased unserialized, unfinished frames and other ghost gun components, including armorally.com, rainierarms.com, 80pbuilder.com, rockslideusa.com, and indieguns.com, performed a background check on me or required me to have a valid firearm license or permit.

6. Except as noted below, for each of the deliveries described in this declaration, I personally retrieved the packages on or about the date of delivery and recorded videos of myself opening the packages. I was assisted by Deputy Sheriff Francesca Rosa, who is a member of my squad and works under my supervision. Deputy Sheriff Rosa retrieved and opened the packages from Rainier Arms that were delivered on May 25, 2022 and the package from Rock Slide USA

that was delivered on May 27, 2022. She recorded videos of herself opening those packages, which I have reviewed. I took each photograph attached to this declaration.

Arm or Ally

7. On April 28, 2022, using a computer located in Manhattan, I navigated to armorally.com on the internet. I added a Black Polymer80 PF940C Pistol Frame Kit to my "Cart." After this product was added to my Cart, a pop-up window appeared, asking "Do you have all the items needed for your build?" and listing, as "Items frequently purchased together," the following items: "AoA Slide Completion Parts Kit for Glock 19," "P80 9mm Frame Parts Kit w/ Complete Trigger Assembly," and "P80 9mm Gen3 Frame Parts Kit (No Trigger)." I did not opt at this time to purchase any of these additional items.

8. At the checkout page, a message appeared, informing me that "Due to the high degree of credit card and chargeback fraud associated with the sale of P80 products, **all orders containing P80 products are required to ship to your credit card's billing address** If you are making this purchase and intend to commit fraud, understand we aggressively pursue all instances of chargeback fraud as thefts through law enforcement channels. You have been warned." (Bold and underlining in original).

9. I entered my fictitious name and undercover email address, phone number, credit card information, and Manhattan shipping address. My undercover credit card was charged the total amount due of \$183.13, consisting of \$160 for the product, \$17.23 for shipping, and a \$5.90 signature fee. No tax was charged.

10. On May 3, 2022, a package from Arm or Ally was delivered to the Manhattan address I had provided with my order. Inside the package were all of the items I had ordered on

April 28, 2022 from armorally.com. Photos of the products from Arm or Ally delivered to the undercover Manhattan address on May 3, 2022 are attached hereto as **Exhibit 1**.

11. On May 12, 2022, using a computer located in Manhattan, I again navigated to armorally.com on the internet. I added an "AoA Slide Completion Parts Kit for Glock 19" to my Cart. The product description indicated that the kit is "compatible with the Polymer80 PF940C – Compact Pistol Frame Kit." I added an "AoA Duty Series Threaded Barrel for Glock 19" to my Cart. When I added this product to my Cart, a pop-up window appeared asking "Do you have all the items needed for your build?" and listing, under "Items frequently purchased together," a "Thread Protector for Glock Barrels – Black." I added an "AoA Duty Slide w/ RMR Cut for Glock 19" to my Cart. When I added this product to my Cart, a pop-up window again appeared asking "Do you have all the items needed for your build?" and listing, under "Items frequently purchased together," the "AoA Slide Completion Parts Kit for Glock 19" and an "RMR Optic Cover Plate." I added to my Cart a "Glock 19 9mm 15 Round Magazine MF19015." I added to my Cart a "P80 9mm Frame Parts Kit w/ Complete Trigger Assembly." The product description indicated that it was "compatible with the PF940v2, PF940C, [and] PF940SC frame assemblies."

12. While I was on the armorally.com homepage, in the middle of making selections for my Cart, I noticed that the website was offering "Free shipping on all Polymer80 products." I clicked on the Polymer80 logo, which took me to an armorally.com page devoted to Polymer80 products (armorally.com/polymer80/). The webpage stated: "Arm or Ally is an authorized stocking dealer of Polymer80 products. We're proud to offer their full line of high quality products, and appreciate you shopping with us." The webpage also stated:

If you thought building a custom AR was fun, just wait until you get your hands on a 80% frame kit from Polymer80! Polymer80 is the leading manufacturer of 80% Polymer receivers for the AR15, AR10, and Glock Pistol platforms. In the comfort and privacy of your own home you can

assemble your own firearm for personal-use with nothing more than simple hand-tools. Become part of the manufacturing process while expressing your right to bear arms. Polymer80 frame kits include an 80% Polymer frame, jog, and all tooling required to finish the frame using a drill press and cross-vise. Several other methods and tutorials are available online.

If you've decided on a P80 Frame Kit, don't forget your parts kits, and other accessories to finish your build. We offer a selection of parts kits, triggers, magazines, optics, and barrels for both Glock and AR platforms ...

Frame kits require a Slide Completion Parts Kit (AKA Upper Parts Kit), Lower Parts Kit, Barrel, and Slide to complete. See our selection of high quality parts below.

13. At checkout, I entered my fictitious name and undercover email address, phone number, credit card information, and Manhattan shipping address. After entering my Manhattan shipping address, the 15-round magazine was automatically removed from my Cart and a notice appeared stating "Glock 19 9mm 15 Round Magazine MF19105 is restricted in your state. Please remove it from your cart or ship to a different address to continue."

14. I placed the order and my undercover credit card was charged the total amount due of \$377.52, consisting of \$347.98 for the products I ordered (slide completion kit for \$59.99, threaded barrel for \$63.00, slide for \$165.00, and frame parts kit with trigger assembly for \$59.99) \$25.29 for shipping, and \$4.25 for insurance. No tax was charged.

15. On May 16, 2022, a package from Arm or Ally was delivered to the Manhattan address I had provided with my order. Inside the package were all of the items I had ordered on May 12, 2022 from armorally.com. Photos of the products from Arm or Ally delivered to the undercover Manhattan address on May 16, 2022 are attached hereto as **Exhibit 2**.

Rainier Arms

16. On April 27, 2022, using a computer located in Manhattan, I navigated to rainierarms.com on the internet. I added to my Cart a green "Polymer80 PF940SC 80% Textured

grip Frame for Glock 26/27 Gen 3.” The product page for this item included a “State Restrictions” section, which stated “New Jersey – Will not ship due to state restrictions!” and “Washington State – No in-store purchase. Shipping available only!” There were no listed restrictions for New York State or New York City.

17. At check out, I entered my fictitious name and undercover email address, phone number, credit card information, and Manhattan shipping address, and placed the order. My undercover credit card was charged the total amount due of \$186.30, consisting of \$149.99 for the frame and \$36.31 for shipping. No tax was charged.

18. On May 2, 2022, a package from Rainier Arms was delivered to the Manhattan shipping address I had provided with my order. Inside the package was the green Polymer80 PF940SC frame kit I had ordered on April 27, 2022 from rainierarms.com. The frame kit included the frame, a jig, two drill bits, and a small bag of frame assembly parts. Photos of the products that from Rainier Arms delivered to the undercover Manhattan address on May 2, 2022 are attached hereto as **Exhibit 3**.

19. On May 12, 2022, using a computer located in Manhattan, I navigated to rainierarms.com on the internet. I navigated to the product page for a 24-round magazine (the “Glock 9mm OEM Double Stack Magazine – 24RD”). The product page for this item stated: “This product is restricted in the States of California, Colorado, Connecticut, Washington, D.C., Hawaii, Maryland, Massachusetts, New Jersey, New York, Vermont, and may be restricted in other local jurisdictions.” I added two of these 24-round magazines to my Cart. I added to my Cart a “Polymer80 9mm Complete Frame Parts Kit for Glock Gen 3 – Black.” The product page for this item indicated that it is compatible with Polymer80 PF940v2, PF940C, and PF940SC frames, among others. I added to my Cart a “Polymer80 PF-Series Slide Parts Kit for Glock – Black/Red.”

The product page for this item indicated that it “includes all of the internal parts to complete a PF-Series™ or Glock® slide assembly” and “is compatible with 9mm PF-Series™ and Glock® Gen1-4 slides.”

20. At check out, I entered my fictitious name and undercover email address, phone number, credit card information, and Manhattan shipping address, and placed the order. My undercover credit card was charged the total amount due of \$243.87, consisting of \$208.98 for the items (two 24-round magazines for a total of \$73.98, a complete frame parts kit for \$50.00, and a slide parts kit for \$85.00) and \$34.89 for shipping. No tax was charged.

21. On May 18, 2022, a package from Rainier Arms was delivered to the Manhattan shipping address I had provided with my order. Inside the package were all of the items I had ordered from rainierarms.com on May 12, 2022. Photos of the products from Rainier Arms delivered to the undercover Manhattan address on May 18, 2022 are attached hereto as **Exhibit 4**.

22. On May 18, 2022, using a computer located in Manhattan, I navigated to rainierarms.com on the internet. I added to my Cart a gray Polymer80 PF940v2 frame kit (“Polymer80 80% PF940v2 Textured Grip for Glock 17/22 Gen 3”). The product page for this item included a “State Restrictions” section, which stated “New Jersey – Will not ship due to state restrictions!” and “Washington State – No in-store purchase. Shipping available only!” There were no listed restrictions for New York State or New York City. I added to my Cart a Glock 17-compatible slide and a Glock 17-compatible barrel (“Spinta Precision Allegiance Slide for Glock 17 Gen 3 [Rainier Arms Exclusive]” and “Faxon Firearms Flamed Barrel for Glock 17 – Tin”).

23. At check out, I entered my fictitious name and undercover email address, phone number, credit card information, and Manhattan shipping address, and placed the order. My

undercover credit card was charged the total amount due of \$760.92, consisting of \$718.54 for the items (the Polymer80 PF940v2 frame kit for \$149.99, the Glock 17-compatible slide for \$370.00, and the Glock 17-compatible barrel for \$198.55) and \$42.38 for shipping. No tax was charged.

24. On May 24, 2022, a package from Rainier Arms was delivered to the Manhattan shipping address I had provided with my order. Inside the package was the “Faxon Firearms Flamed Barrel for Glock 17 – Tin” I had ordered from rainierarms.com on May 18, 2022. Photos of the product from Rainier Arms delivered to the undercover Manhattan address on May 24, 2022 are attached hereto as **Exhibit 5**.

25. On May 25, 2022 a package from Rainier Arms was delivered to the Manhattan shipping address I had provided with my order. Inside the package was the “Polymer80 80% PF940v2 Textured Grip for Glock 17/22 Gen 3” and the “Spinta Precision Allegiance Slide for Glock 17 Gen 3 [Rainier Arms Exclusive]” I had ordered from rainierarms.com on May 18, 2022. Photos of the products from Rainier Arms delivered to the undercover Manhattan address on May 25, 2022 are attached hereto as **Exhibit 6**.

80P Builder

26. On May 11, 2022, using a computer located in Manhattan, I navigated to 80pbuilder.com on the internet. I added to my Cart a flat dark earth (FDE) Polymer80 PF940v2 frame kit (called the “FDE PF940v2 80% Frame G17, G34...”). On the product page for that item, I selected the option to add to my order a lower parts kit (called the “Lower Parts Kit for 9mm”).

27. At check out, I entered my fictitious name and undercover email address, phone number, credit card information, and Manhattan shipping address. My undercover credit card was charged the total amount due of \$221.91, consisting of \$129.99 for the frame kit, \$59.99 for the lower parts kit, \$12.00 for shipping, \$2.00 for shipping insurance, and \$17.93 in tax.

28. Immediately after I placed the order for the frame kit and lower parts kit from 80P Builder, I began another online order from 80P Builder. I navigated to the product page for the "Agent-17 Custom" package. This package included a slide (I chose the "Agent-17 Armor Black Cerakoted for G17 Glock 17"), a barrel (I chose the "80PBuilder BARREL Stainless Steel for Glock 17 G17"), sights ("HD Fiber Optic Sights"), a guide rod ("Guide Rod for G17, 34, 17L), and an upper parts kit. The product page for this item also included options to add a Polymer80 PF940v2 frame, a lower parts kit, a tactical magwell, and a billet extractor upgrade. Of these options, I selected only the billet extractor upgrade. The product page for the Agent-17 Custom package also included the option to have the sights, upper parts kit, or both installed. I chose installation of the upper parts kit only.

29. At check out, I entered my fictitious name and undercover email address, phone number, credit card information, and Manhattan shipping address. My undercover credit card was charged the total amount due of \$363.44, consisting of \$319.97 for the Agent-17 Custom package, \$12.00 for shipping, \$2.00 for shipping insurance, and \$29.47 in tax.

30. On May 16, 2022, two packages from 80P Builder were delivered to the Manhattan shipping address I had provided with my orders. Inside the packages were all of the items I had ordered on May 11, 2022 in my two orders from 80pbuilder.com. The frame kit included the frame, a jig, two drill bits, and a small bag of frame assembly parts. Photos of the products from 80P Builder delivered to the undercover Manhattan address on May 16, 2022 are attached hereto as **Exhibit 7.**

Rock Slide USA

31. On May 11, 2022, using a computer located in Manhattan, I navigated to rockslideusa.com on the internet. I added to my Cart a black Polymer80 PF940C frame. I

navigated to the product page for a slide called the “Rock Slide Un-Cut Upper.” I selected the Glock 19-compatible version. The product page stated that this slide “also works with aftermarket lowers such as the POLY80 PF940 80% receivers” and stated “No license required. Ships anywhere in the USA.” I also selected the following “add-ons,” which were available on the same product page: the “Internal Upper Parts Kit w/ Upgraded Billet Extractor (Installed) W/no recall spring,” the “Recoil Spring Guide Rod, Stainless steel,” and the Lower Parts Kit with Standard Trigger.” I added all these products to my Cart. I added to my Cart a Glock-compatible 32-round magazine (“Glock 9mm Extended Magazine 32rd PRO MAG”).

32. At check out, I entered my fictitious name and undercover email address, phone number, credit card information, and Manhattan shipping address.. My undercover credit card was charged the total amount due of \$566.78, consisting of \$506.78 for the products (\$149.99 for the frame kit, 336.80 for the “Rock Slide Un-Cut Upper” with add-ons, and \$19.99 for the magazine) and \$60.00 for shipping. No tax was charged.

33. On May 16, 2022, a package from Rock Slide USA was delivered to the Manhattan shipping address I had provided with my order. Inside the package were all of the items I had ordered on May 11, 2022, from rockslideusa.com. The frame kit included the frame, a jig, two drill bits, and a small bag of frame assembly parts. Photos of the products from Rock Slide USA delivered to the undercover Manhattan address on May 16, 2022 are attached hereto as **Exhibit 8**.

34. On May 21, 2022, using a computer located in Manhattan, I navigated to rockslideusa.com on the internet. I added to my Cart a Glock 19-compatible slide called the “Rock Slide G19 Gen 3 Upper.” On the product page for this item, I selected the Rock Slide Stainless Steel barrel as an “Add-On.”

35. At check out, I entered my fictitious name and undercover email address, phone number, credit card information, and Manhattan shipping address.. My undercover credit card was charged the total amount due of \$339.94, consisting of \$279.94 for the “Rock Slide G19 Gen 3 Upper” including slide and barrel, and \$60.00 for shipping. No tax was charged.

36. On May 27, 2022, a package from Rock Slide USA was delivered to the Manhattan shipping address I had provided with my order. Inside the package was the items I ordered on May 21, 2022 from rockslideusa.com. A photo of the items from Rock Slide USA delivered to the undercover Manhattan address on May 27 2022 is attached hereto as **Exhibit 9**.

Indie Guns

37. On May 18, 2022, using a computer located in Manhattan, I navigated to indieguns.com on the internet. I added to my Cart a “Complete Frame Assembly for G17, G17L, G22, G24, G31, G34, G35.” According to the product page for this item, it included a Polymer80 PF940v2 frame kit along with a “P80 9mm Frame Parts Kit w/ Trigger Assembly” and a Glock-17 compatible 17-round magazine. I added to my Cart a “Kangal-17 Tiffany Blue Complete Slide Assembly.” According to the product page for this item, this item included a Glock-17 compatible slide, along with a slide parts kit, barrel, and sights, all pre-installed.

38. At check out, I entered my fictitious name and undercover email address, phone number, credit card information, and Manhattan shipping address, and placed the order. My undercover credit card was charged the total amount due of \$680.60, consisting of the “Complete Frame Assembly” kit for \$199.99, the “Complete Slide Assemble” kit for \$465.68, and \$14.93 for shipping. No tax was charged.

39. On June 9, 2022, a package from Indie Guns was delivered to the Manhattan shipping address I had provided with my order. Inside the package were all of the items I had

ordered on May 18, 2022 from indieguns.com. A photo of the products from Indie Guns USA delivered to the undercover Manhattan address on June 9, 2022 is attached hereto as **Exhibit 10**.

40. I attempted to purchase unfinished, unserialized frames from several other online retailers that refused to accept my order, or canceled my order after it was placed, because they would not deliver an unfinished, unserialized frame to an address in New York City or State.

DATED: 06/27/2022

Richard LeBlond
Sergeant Richard LeBlond